

ORDINANCE NO. 46-113

AN ORDINANCE PROVIDING AMENDMENTS TO SECTION III-B.14.e(3)(e) AND SECTION IV-B.3.b(1) of the WICHITA-SEDGWICK COUNTY UNIFIED ZONING CODE (April 19, 2001 EDITION), AS ADOPTED BY REFERENCE IN CITY OF WICHITA CODE SEC. 28.04.010 BY ORDINANCE NO. 44-975, DEALING WITH PORTABLE STORAGE CONTAINERS.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WICHITA;

SECTION 1. Section III-B.14.e(3)(e) of the Wichita-Sedgwick County Unified Zoning Code (April 19, 2001 Edition) as adopted by reference in Code Sec. 28.040.010 by Ordinance No. 44-975, is hereby amended to read as follows:

(e) Placement of portable storage containers in LC. On any zoning lot located in the LC zoning district, one or more portable storage containers may be permitted as accessory storage to the principal use(s) provided the following conditions are met:

- 1)** The floor area contained in the portable storage container shall be limited to no more than ten percent of the floor area of the principal use and be considered part of the total outdoor storage allowed on any site, except that for principal buildings with less than 3,200 square feet in size, the container may be up to 320 square feet in size. In buildings with multiple tenants, no single user shall be permitted more than ten percent of the floor area of its use.
- 2)** Portable storage containers shall be located at least five feet behind the wall line of the principal building and be subject to screening provisions specified herein.
- 3)** Portable storage containers shall be required to meet side and rear setback requirements for buildings; shall be separated by no more than ten feet from the principal building, except when screened in accordance with the screening standards Article IV.B.3, or when screened from view of a residential zoning district, residential use or arterial street by landscaping, berms, or by other non-residential buildings; and shall be located at least 20 feet from any abutting property zoned TF-3 or more restrictive.
- 4)** Required screening may consist of the wall(s) of the portable storage container if the container has no openings or signs facing a public street or adjacent property in a residential zoning district and if the wall(s) match the predominant material and colors of the existing structure or are an earth tone color that complements and appears inconspicuous against the color of the principal building, or other screening materials as permitted in the Code per Sec. IV-B.3.

- 5) Signage on portable storage containers shall be limited to one sign per container, not exceeding two square feet. The signage shall not be visible from any abutting street or any adjacent property in a residential zoning district.
- 6) Vertical stacking of portable storage container and stacking of any other materials or merchandise on top of any portable storage container shall be prohibited. No running gear shall be left underneath any portable storage container.
- 7) No portable storage container shall be placed or located on a required parking space, circulation aisle/lane, or fire access lane.

Exception: Portable storage containers temporarily placed on zoning lots during a period of ongoing construction on the same zoning lot are exempted from the above requirements.

SECTION 2. Section IV-B.3.b(1) of the Wichita-Sedgwick County Unified Zoning Code (April 19, 2001 Edition) as adopted by reference in Code Sec. 28.040.010 by Ordinance No. 44-975, is hereby amended to read as follows:

(1) Nonresidential screening from ground level view. Except along local or collector streets bounded on both sides by the LI or GI district, screening shall be provided on all nonresidential development sufficient to reasonably hide from ground level view all loading docks, trash receptacles, ground level heating, air conditioning and mechanical equipment, free-standing coolers or refrigeration units, outdoor storage including portable storage containers, outdoor work areas or similar uses from any residential zoning district or public street right-of-way located within 150 feet of such uses.

(a) Screening for portable storage containers in the LC district may be satisfied by meeting the requirements in Sec. III-B.14.e(3)(e).

(b) Screening for portable storage containers in the GC and more intensive districts may consist of the wall(s) of the portable storage container if the container has no openings or signs facing a public street or adjacent property in a residential zoning district and if the wall(s) match the predominant material and colors of the existing structure or are an earth tone color that complements and appears inconspicuous against the color of the principal building when these conditions are met:

- 1) Located at least five feet behind the wall line of the principal building that faces a street,
- 2) Meet side and rear setback requirements for buildings, are separated by no more than ten feet from the principal building, except when screened from view of a residential zoning district, residential use or arterial street by landscaping, earth berms, or by other non-residential buildings; and are located at least 20 feet from any abutting property zoned TF-3 or more restrictive, or

If these conditions are not met, screening shall be provided with a screening wall or fence as required in this section of the Code.

SECTION 3. This ordinance shall be included in the Code of the City of Wichita and shall be effective upon its adoption and publication once in the official City newspaper.

PASSED AND ADOPTED by the governing body at Wichita, Kansas, this 16th day of March, 2004.

Carlos Mayans, Mayor

ATTEST:

Karen Schofield, City Clerk

(SEAL)

Approved as to form:

Gary E. Rebenstorf, City Attorney